



Winston & Winston, P.C.
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Order Filed on January 24, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In Re:

Sharon K. Lancaster,

Debtor:

Case No. 16-11095-ABA
(Chapter 13)


Hearing Date: November 27, 2018

Judge: Hon. Andrew B. Altenburg, Jr.

**CONDITIONAL ORDER REGARDING MOTION FOR AUTOMATIC STAY AS TO THE
2014 SCION TC (VIN: JTKJF5C73E3076657) WITH WAIVER OF F.R.B.P. RULE
4001(A)(3)**

The Relief set forth on the following pages, numbered two (2) through two (2)
is hereby **ORDERED**.

DATED: January 24, 2019



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Caption of Order: CONDITIONAL ORDER REGARDING MOTION FOR AUTOMATIC
STAY AS TO THE 2014 Scion tC (VIN: JTKJF5C73E3076657) WITH WAIVER OF F.R.B.P.
RULE 4001(A)(3)

Upon the Stipulation of JPMORGAN CHASE BANK N.A., ("Chase") and Sharon K.
Lancaster ("Debtor") under Bankruptcy Code Section 362 (d)(1) and 362 (d)(2) for relief from
the automatic stay as to a 2014 Scion tC (VIN: JTKJF5C73E3076657) and for good cause shown
and no cause to the contrary appearing;

IT IS HEREBY ORDERED that the attached Stipulation is "SO ORDERED."

Winston & Winston, P.C.
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Aleksander Powietrzynski (AP7768)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In Re:

Sharon K. Lancaster,

Debtor.

**STIPULATION RESOLVING MOTION
FOR RELIEF OF THE AUTOMATIC
STAY**

Case No. 16-11095-ABA
(Chapter 13)

WHEREAS, JPMorgan Chase Bank, N.A., ("Chase") is a secured creditor in the above referenced matter with regard to a 2014 Scion tC (VIN: JTKJF5C73E3076657) ("Vehicle"); and

WHEREAS, Chase has a perfected lien regarding the Vehicle, which lien secures the repayment of a Retail Installment Sale Contract Simple Finance Charge entered into between Sharon K. Lancaster ("Debtor") and Chase on September 13, 2014 for the purchase of the Vehicle; and

WHEREAS, the Debtor is in default of the Retail Installment Sale Contract Simple Finance Charge by failing to make payments when due; and

WHEREAS, the Debtor previously defaulted by failing to make payments when due and Chase filed a motion for relief of stay and on March 10, 2017, Chase and the debtor entered into a conditional order which was So Ordered, by the Court; and

WHEREAS, the Debtor defaulted pursuant to the terms of the conditional order by failing to make payments when due; and

WHEREAS, on October 17, 2018 Chase, through its attorneys, Winston & Winston, P.C., filed and served a Certification of Default, Creditor's Certification of Post-Petition Payments, a Supplemental Attorney Certification, and Proposed Order requesting Relief from the automatic Stay regarding the Vehicle due to the default of the Conditional Order; and

WHEREAS, on October 18, 2018 Debtor, through its attorneys, Law Office of S. Daniel Hutchison, filed and served opposition to Chase's Certification of Default; and

WHEREAS the Certification of Default was made returnable on November 13, 2018 at 10:00 AM which was adjourned until November 27, 2018; and

WHEREAS, the parties seek to amicably resolve this matter and have agreed to the following:

IT IS HEREBY STIPULATED AND AGREED, in order to cure the past due arrears

Debtors agree as follows:

- Debtor will make payments towards the post-petition arrears as follows:
 1. Payment in the amount of \$470.00 on 11/09/18;
 2. Payment in the amount of \$470.00 on 11/16/18;
- The balance of the arrears for June through November 2018 in the amount of \$3,254.16 will be paid by the Trustee to Chase over the remainder of the Chapter 13 Plan and the Chapter 13 Plan is hereby amended to reflect these payments accordingly.
- Followed by regular monthly payments of \$469.24 per month paid directly by the debtor outside of the Plan on the 11th of each month (starting on December 11, 2018) until the lien is fully satisfied.

IT IS FURTHER STIPULATED AND AGREED, that the Debtor will continue to maintain insurance on the Vehicle and will keep the Vehicle in good condition, free any encumbrances and seizures until such time as the lien has been fully satisfied; and

IT IS FURTHER STIPULATED AND AGREED, that in the event the Debtor fails to timely make any payment to Chase, and upon failure to timely (within 10 days of any payment date) cure any default, Chase may file a Certification of Default with the Court and servicing upon the Debtor, her attorney and the Chapter 13 Trustee; and

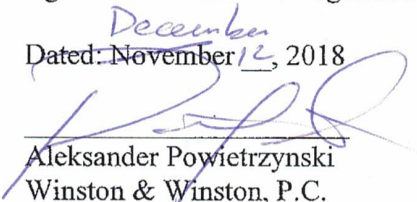
IT IS FURTHER STIPULATED AND AGREED, that in the event that Debtor defaults pursuant to the terms of this Settlement Agreement and Chase enforces its security interest and repossesses the Vehicle, the Trustee's right to surplus funds is hereby preserved, and Trustee will be given written notice of any surplus monies (if any) remaining after the sold of the Vehicle. Chase is directed to turn over surplus monies (if any) to the Trustee as property of the estate; and

IT IS FURTHER STIPULATED AND AGREED, that in the event of default and Chase's request for an Order granting relief of stay by way of Certification of Default, the provisions of Rule 4001 requiring a fourteen (14) day waiting period for the effectiveness of the order is hereby waived; and

IT IS FURTHER STIPULATED AND AGREED, that this Stipulation may be executed in multiple counterparts, each of which shall be deemed original and all of which when taken together shall constitute one and the same instrument; and

IT IS FURTHER STIPULATED AND AGREED, that electronic, copied and facsimile
signatures are deemed originals for all purposes.

~~Dated: November 12, 2018~~


Aleksander Powietrzynski
Winston & Winston, P.C.
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~~Dated: November 12, 2018~~


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Debtor's Attorney
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Certificate of Notice Page 7 of 7
 United States Bankruptcy Court
 District of New Jersey

In re:
 Sharon K. Lancaster
 Debtor

Case No. 16-11095-ABA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Jan 24, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 26, 2019.

db +Sharon K. Lancaster, 1019 Moore Road, Thorofare, NJ 08086-3833

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 26, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 24, 2019 at the address(es) listed below:

Aleksander P. Powietrzynski	on behalf of Creditor	JPMORGAN CHASE BANK, N.A.
alex@winstonandwinston.com		
Aleksander P. Powietrzynski	on behalf of Creditor	JPMorgan Chase Bank, N.A.
alex@winstonandwinston.com		
Brian C. Nicholas	on behalf of Creditor	JPMorgan Chase Bank, N.A. bnicholas@kmlawgroup.com,
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Denise E. Carlon	on behalf of Creditor	JPMORGAN CHASE BANK, N.A. dcarlon@kmlawgroup.com,
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Isabel C. Balboa	on behalf of Trustee	Isabel C. Balboa ecfmail@standingtrustee.com,
summarymail@standingtrustee.com		
John R. Morton, Jr.	on behalf of Creditor	JPMorgan Chase Bank, N.A. ecfmail@mortoncraig.com,
mortoncraigecf@gmail.com		
Rebecca Ann Solarz	on behalf of Creditor	JPMORGAN CHASE BANK, N.A. rsolarz@kmlawgroup.com
S. Daniel Hutchison	on behalf of Debtor Sharon K. Lancaster	sdhteamlaw@outlook.com,
backupcourt@outlook.com/sdhlawparal@outlook.com/hutchisonsr39026@notify.bestcase.com		
TOTAL: 10		